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Attorneys for Defendant  
APPLE INC., A CALIFORNIA CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re iPhone Application Litigation

CASE NO. 11-MD-02250-LHK

**CLASS ACTION**

**CORRECTED DECLARATION OF  
JOSHUA JESSEN IN SUPPORT OF  
APPLE INC.'S ADMINISTRATIVE  
MOTION TO FILE DOCUMENTS IN  
SUPPORT OF ITS OPPOSITION TO  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION UNDER SEAL  
PURSUANT TO LOCAL RULE 79-5**

1 I, Joshua Jessen, declare as follows:

2 1. I am a member of the California State Bar, am admitted to practice before this Court,  
3 and am an associate in the law firm of Gibson, Dunn & Crutcher LLP, counsel for Defendant Apple  
4 Inc. ("Apple") in this matter. Pursuant to Local Rules 7-11 and 79-5, I submit this Declaration in  
5 connection with Apple's Administrative Motion to File Documents in Support of Its Opposition to  
6 Plaintiffs' Motion for Class Certification Under Seal. I have personal knowledge of the facts set forth  
7 below and, if called as a witness, could and would competently testify to them under oath.

8 2. On September 18 and 19, 2013, I informed Plaintiffs' counsel (Scott Kamber, Deborah  
9 Kravitz, and Karen Riebel) via e-mail that Apple planned to file several documents with information  
10 designated as confidential by Apple under seal. Pursuant to Local Civil Rule 7-11, I asked if  
11 Plaintiffs would stipulate to the under seal filing. In response, Plaintiffs' counsel stated that Plaintiffs  
12 were not able to stipulate to the under seal filing.

13 3. Pursuant to Local Civil Rule 79-5(d), I also informed Plaintiffs that Apple planned to  
14 file certain information that Plaintiffs had designated confidential under seal unless Plaintiffs stated  
15 that the information could be filed publicly. In response, Plaintiffs stated that the information should  
16 be filed under seal and redacted in public versions of Apple's filing. Plaintiffs further agreed that  
17 portions of the transcript of the Deposition of Manuel Egele could be filed publicly, except for page  
18 231, lines 17-23, which contains sensitive but irrelevant information and has been redacted.

19 I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing is true and correct and that this declaration was executed on September 19, 2013 in Irvine,  
21 California.

22 Dated: September 19, 2013

23 /s/ Joshua Jessen

24 JOSHUA JESSEN

25 **ATTORNEY ATTESTATION**

26 Pursuant to Civil Local Rule 5-1, I, S. Ashlie Beringer, hereby attest that concurrence in the  
27 filing of this document has been obtained from Joshua Jessen.

28 Dated: September 19, 2013

By: /s/ S. Ashlie Beringer

S. ASHLIE BERINGER